

ANIMADVERSIONS

ON THE PRACTICE OF

TITHING

UNDER THE GOSPEL;

INCLUDING

REMARKS

ON THE

COMMON ARGUMENTS

NOW USED IN SUPPORT OF DIVERS

ECCLESIASTICAL IMPOSITIONS

IN THIS NATION,

ESPECIALLY AS THEY RELATE TO

DISSENTERS.

By JOSEPH PHIPPS.

WHATSOEVER YE WOULD THAT MEN SHOULD DO TO YOU, DO
YE EVEN SO TO THEM, MAT. VII. 12.

L O N D O N ;

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TO THE

R E A D E R.

PART of the following treatise was printed in 1769, under the title of, *Brief remarks on the common arguments now used in support of divers ecclesiastical impositions, &c.* But, having, since that time, met with various other arguments and excuses in opposition to the gospel doctrine of a free ministry, I have added these with answers to them, and such other considerations as appeared to me requisite: all which have enlarged the work, and occasioned some alteration in the title.

J. P.

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ANIMADVERSIONS

ON THE PRACTICE OF

T I T H I N G

UNDER THE GOSPEL.

SECTION I.

I. **C**OMPULSION against conviction, in matters of religious concern, is both offensive to God, and injurious to man. It is offensive to God, because it is an usurpation of his prerogative; it is injurious to man, because it obliges him either to a hypocritical violation of his conscience, or subjects him to suffering for his sincerity; which is cruel, inequitable, and antichristian.

The great principle of Christianity is comprehended in this, “I will put my ^{Heb. 8.} laws into their mind, and write them ^{10, 11.} in their hearts, and I will be to them a
“ God;

“ God, and they shall be to me a people ;
 “ and they shall not teach every man his
 “ neighbour, and every man his brother,
 “ saying, know the Lord ; for *all shall*
 “ *know me from the least to the greatest.*”
 This is both prophetically and apostoli-
 cally declared to be *God's new and lasting*
covenant, or establishment ; whence it is
 evident that every one may know God for
 himself, and be led and guided by his
 spirit, and consequently, to regard the
 teachings of men no farther than they
 accord with his.

It is also rational to conclude, that as
 every one must answer for himself, every
 one hath a right to judge for himself.
 Otherwise, the bulk of mankind would
 have no choice in what most concerns
 them, but be slavishly subjected to the
 rule of a few of their fellow-creatures,
 who, from sinister motives, might be so
 darkened as to interest themselves in their
 deception.

II. From these principles of Christian
 and rational freedom ariseth *the right of*
private judgment, the grand basis of Pro-
 testantism. A right in every man to keep
 his conscience void of offence, by sin-
 cerely believing, worshipping, and acting
 according

according to the will of God concerning him, or to the best of his understanding thereof. No protestant powers, therefore, can demand *active obedience* to their own establishments, of any person dissenting from them, in points wherein their dissent lies, without condemning the principle of their own practice, in dividing from the Romish hierarchy, and clashing with the fundamental doctrine of Christianity. Yet, *active obedience against inward conviction*, hath often been demanded of the people called Quakers by persons interested in their oppression; and why? Because that people are *fully persuaded in their own minds*, and are concerned to shew forth, both by word and practice, that it is the special prerogative of Christ himself, by his spirit, to elect, authorise, and send forth his own ministers, or messengers; and that he hath not vested any men upon earth with authority ceremoniously to appoint, and impose whom they please upon others in that character; or to oblige those who dissent from them, and cannot in conscience accept them as such, to join hands in their maintenance.

III. It is manifest, that a ministry which *compels wages*, not only from those of their own fraternity, but also from the members

members of all other religious societies in this kingdom, *of which they are neither ministers nor members*, are not upon the foundation of the prophets and apostles. For these, inspired with the Spirit of Truth, and filled with divine charity, diligently laboured for the good of all, without coveting any man's silver, gold, or apparel, or having any view to lord it over God's heritage. Whoever profess themselves ambassadors of Christ, yet are not sent by him, nor have their eye single to him, but rather towards such in whose power is the presentation of benefices, and the gift, or sale, of preferments, we cannot receive *as the messengers of our Saviour*, nor appear to approve them as such, by actively contributing to their support. Yet, as such have obtained authority from the civil powers, to enforce their demands, we resist not the ordinance of those powers, but in submission thereto, peaceably suffer what they enjoin in lieu of our active obedience; by which the law is satisfied, and the demanders have their claims, however unrighteously they are founded.

IV. But notwithstanding this, such as seek dominion over those who are not, as well as those who are, of the same communion

communion with them, have frequently shewn great inquietude, by railing against the Quakers, both in the pulpit and from the press, and misrepresenting the gospel, as giving countenance to impositions upon conscience; especially such as are in their own favour. Actually to obey God rather than men, according to the persuasion of our own minds, is, in their stile, a resisting of his ordinances; inactive submission to imposing laws, is opposition to government; carefully to keep a conscience void of offence, is either to be void of conscience, or to possess an evil one; and refusing actually to support unrighteous and ungospel-like claims, is dishonest and deserving of punishment. Such are the unjust censures put upon those of that people who conduct themselves according to their Christian principle; while such under the same profession, as are accustomed to truckle, are fed with the wind of flattering encomiums, and reputed the only persons of understanding in the whole body. This continuing to be the case, let me proceed to observe,

V. That the everlasting gospel being the same it was in the beginning, its true ministers must still go forth in the same
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spirit

spirit the primitive ministers did ; though, in its commencement, these having to declare the cessation of the highly venerated ceremonial law, which was fulfilled by and ended in Christ, were accompanied with such miraculous powers, as are now no longer necessary. Yet the true ministry of the gospel is still the same in nature, and from the same spirit, which will necessarily lead those it influenceth to minister, in the same line of doctrine, and to be satisfied with the same means of support which contented the primitives. What those means were let us briefly enquire.

The ministers of the law were provided for, by direction of the law, out of the tithes and first-fruits, for a particular reason which will appear by and by ; but the gospel directs not that manner of provision to be continued, but hath entirely disannulled it, by removing the cause, and abolishing the law that enjoined it ; and

Luke 10. 2. now, the great Lord of the harvest, *who sends forth his own labourers*, commands

Mat. 10. 8. them, * “ Freely ye have received, freely

* Some have notably discovered, that this command is only an injunction upon the preachers of the gospel, and not upon the hearers. Doth not the prohibiting of ministers to receive a thing, necessarily include a prohibition of hearers to give it ? Where non-acceptance is commanded, non-payment must be so.

“ give.”

“give.” As they receive it at his hand *a free gift* for the people, they are *freely* to dispense it to them, and to trust in him, by whose never-failing Providence, the hearts of those they so minister to, will be opened towards them, as Lydia’s was, and disposed to afford them such assistance as they may stand in need of.

“When I sent you without purse, or scrip, Luke 22
“or shoes, said our Lord, lacked ye any 35.
“thing? And they said, Nothing.”

Thus they were providentially supplied when he sent them abroad in the service of the gospel; but when they were returned and remained at home, he directed, “He that hath a purse, let him take Verf. 36
“it, and likewise his scrip.” That is, let him make use of his own possessions and abilities, and not demand a maintenance in idleness, at the expence of others; much less force it from them. Whilst they are peculiarly engaged in his service, and distant from the place of their occupation and residence, they have liberty to receive what is necessary for them, of those who accept their labours, and willingly communicate to them, as it is their duty. “And into whatsoever Luke 10
“city ye enter, and they receive you, eat 7, 8. 10
“such things as are set before you”— 11.

“ But into whatsoever city ye enter, and
 “ they receive you not, go your ways out
 “ into the streets of the same, and say,
 “ even the very dust of your city which
 “ cleaveth on us, we do wipe off against
 “ you.” This plainly shews, it was not
 the mind of Christ, that his ministers
 should receive any thing of those who
 accepted them not ; nor doth he autho-
 rize them to demand, or by any means
 compel those who do receive them to
 maintain them continually.

If any, therefore, who profess them-
 selves to be ministers of Christ, receive
 not what they minister freely from him,
 and communicate it not as freely, but
 compel tithes, rates, and stipends from
 the people, they demonstrate themselves
 not to be truly such, by acting opposite
 to his doctrine ; and those who abide not
 in the doctrine of Christ, are not to be
 received as his ministers, nor counte-
 nanced as such. For, saith the apostle,
 “ Whosoever transgresseth, and abideth
 “ not in the doctrine of Christ, hath not
 “ God ; he that abideth in the doctrine
 “ of Christ hath both the Father and the
 “ Son. If there come any unto you, and
 “ bring not this doctrine, receive him not
 “ into your house, neither bid him God
 “ speed ;

“ speed ; for he that biddeth him God
 “ speed, is partaker of his evil deeds.”
 2 John 9, 10, 11.

In the first epistle to the Corinthians, chap. ix. we find the apostle, writing to those he had, by divine authority, laboured amongst, pleads his own right, and that of his inspired companions in travail, to eat and drink, and partake of due accommodations with them, from the reasonableness of soldiers not going to war at their own charges ; of those who plant vineyards, or feed flocks, enjoying the produce ; of the ox that trod out the corn, being allowed by the law to feed upon it ; of participating in their carnal things whilst they dispensed to them those which are spiritual ; and then concludes,
 “ Do ye not know that they who minister Verf. 13,
 “ about holy things, live of the things of ¹⁴
 “ the temple ? And they who wait at the
 “ altar, are partakers with the altar ?
 “ Even so hath the Lord ordained, that
 “ they who preach the gospel, should live
 “ of the gospel.”

This teacheth that, as those who, *by divine appointment*, attended the ministration of the temple and altar, legally partook of what was voluntarily brought by
 the

the people for that service, so the Lord had ordained, as before observed from Luke x. that those who, *by divine qualification and commission*, gave up to spend their time and labour in the service of the gospel should be supplied by those among whom they laboured, and who accepted their labours.

Yet, notwithstanding the primitive ministers were allowed this just and reasonable claim, they were tender of making it burdensome to their hearers, and cautious lest the gospel should thence be scandalized, by an apprehension of the people that they intended to render its ministry a mercenary thing. “Neither,” saith the apostle, “did we eat any man’s bread for
 2 Thes. 3. 8, 9. “nought, but wrought with labour and
 “travel night and day, that we might
 “not be chargeable to any of you: not
 1 Cor. 9. 12. “because we have not power”—“Never-
 “theless, we have not used this power,
 “but suffer all things, lest we should
 2 Cor. 11. 7. 9. 12. “hinder the gospel of Christ”—“I have
 “preached to you the gospel of God
 14. 17, 18. “freely—In all things I have kept my-
 “self from being burdensome to you,
 “and so I will keep myself—I seek not
 “yours, but you—Did I make a gain of
 “you, by any of them I sent unto you?
 “I desired

“ I desired Titus, and with him I sent a
 “ brother. Did Titus make a gain of
 “ you? Walked we not in the same spirit?
 “ Walked we not in the same steps?”

Acts xx. 28. the same apostle, addressing himself particularly to his brethren in the ministry, saith, “ Take heed
 “ therefore unto yourselves, and to all the
 “ flock, over which the Holy Ghost hath
 “ made you overseers, to feed the church
 “ of God, which he hath purchased with
 “ his own blood.” Presently after he asserts, “ I have coveted no man’s silver,
 “ or gold, or apparel. Yea, you yourselves know, that these hands have
 “ ministered to my necessities, and to
 “ them that were with me. I have shewed
 “ you all things, how that so labouring
 “ ye ought to support the weak, and to
 “ remember the words of the Lord Jesus,
 “ how he said, It is more blessed to give
 “ than to receive.” Vers. 33, &c.

Thus they disinterestedly laboured, not making gain the end of their godliness; but accounting godliness their gain. Those who are in the same spirit will walk by the same rule, and tread in the same steps. Assertors of the cause of stipulated demands, and compulsive measures, demonstrate

strate they are not in the same spirit, consequently are no true ministers of Christ; but such as the apostle cautioned against, when he said, "I beseech you, brethren, mark them which *cause* divisions and offences, contrary to the doctrine which ye have learned, and avoid them. For they that are such, serve not our Lord Jesus Christ, but their own belly, and by good words and fair speeches deceive the hearts of the simple." Rom. xvi. 17, 18.

SECTION II.

WITH respect to tithes, we have not the least intimation in scripture, that they were either divinely commanded, or periodically paid by the people to their priests, before the institution of the Mosaick law, and the settlement of Israel in Canaan.

The case of Melchisedeck and Abraham appears to have been a singular and extraordinary instance of mutual kindness, betwixt those two princes, patriarchs, and priests, for such they both were.

Melchisedeck was a king, and his country being situated near the parts invaded by the four kings in confederacy, furnisheth a sufficient reason why he should be induced to meet Abraham in his return, with a seasonable refreshment for himself and his army, after a fatiguing pursuit, fight, and conquest of the invaders. He therefore brings him a large and suitable present, congratulates him upon his victory, and, as Jacob afterwards did to Pharaoh, adds his blessing upon him.

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Melchisedeck's beneficence naturally leads Abraham to make him a grateful return, and having the spoil of the conquered kings in his hands, he voluntarily presents him with a tenth of it.

Gen. 14. 20. To serve a sinister purpose, some have been pleased to inculcate, that the phrase, "He gave him tithes of all," intends that Abraham gave Melchisedeck a tenth of all he possessed; but both common sense, and the assertion of the apostle, shew this to be a mis-construction. For it is by no means probable, that Abraham should encumber himself with his flocks and herds, and the whole stock of his possessions, in a pursuit that required the most immediate expedition, for the recovery of his kinsman Lot, and his family. The tithes he gave, therefore, were only a tenth of the spoils he had taken, as the apostle expressly declares, Heb. vii. 4.

It required a peculiar kind of ingenuity to discover, that every parish-priest the world over was here represented in the person of Melchisedeck, and the humble laity in that of Abraham; and that we are to understand, by a tenth of his spoils, the tithe of every man's produce; by a free return of kindness, a forced exaction; and

and by once in his life, an annuity for ever. Wild and incoherent as it appears, this is the gloss of *Jure divino*.

It is true Christ is stiled a *Priest* for Heb. 7. *ever after the order of Melchisedeck*, but the ^{17.} claim of tithes hath no part in this order ; for they were *after the law of a carnal commandment*, and Christ is made a High-Priest, *not after the law of a carnal com-* Verf. 16. *mandment, but after the power of an endless life*. Hence neither himself, nor any of his apostles, or faithful followers *in that power of divine life*, either taught the continuance of tithes by precept, or gave any example of receiving them by practice ; one of which, at least, they unquestionably would have done, had they pertained to the order of the High-Priest of the Christian religion, and been either of divine or moral obligation.

Jacob's vow to give tithes of all he possessed, appears to have been his own voluntary act on a particular occasion, and on terms conditional ; and to whom did he vow them ? Why, to the Almighty, in acknowledgment to him from whose bountiful blessing he received all he possessed. This devotional engagement he ^{Gen. 28. 22.} seems to have fulfilled by sacrifice ; for we ^{Ch. 35.}

read of no other payment of his. Hence can arise no obligation upon any other person. Nor doth this instance, any more than that of Abraham, shew that the payment of tithes to priests is either a moral, a general, or a perpetual duty.

The only institution of tithes we read of in holy writ, was by the law of Moses. By virtue of this law, the eleven secular tribes of Israel, possessed the lands which would otherwise have been allotted to the tribe of Levi; therefore, seeing this tribe was excluded from cultivation, that their time and labour might be wholly appropriated to the service of the tabernacle, in behalf of all the twelve, it was both just and requisite, that the eleven tribes who reaped the produce of the whole of these lands, should afford a sufficiency for the maintenance of the Levites, as well as for the poor, the fatherless, and the widows. For all these purposes, therefore, the first-fruits, and tithe of their increase were divinely commanded, in part, for the priests and Levites, as a manner of subsistence necessarily suited to their service, and in compensation for that share of the land which, in equity, would otherwise have been assigned them.

These,

These, being warranted by divine commands to receive a portion of the tithe, might, in common with the needy, plead a divine right in them ; but they were neither allowed to engross the whole, nor to take them by force from those they ministered for ; much less to compel the payment of them from persons not religiously connected with them, and who, therefore, partook not of their services.

The Mosaick law being the only law of God which commanded the payment of tithes, and directed those numerous and laborious services they were, in part, instituted to support, and that law being fulfilled and ended in Christ, all the services and appropriations of the law ended with it. It was when *the mystery of iniquity*, which had begun to work even in the days of the apostles, had so far wrought, that the deceivableness of unrighteousness, and *the falling away* prophesied of, had made considerable progress among the ministry, that the self-ends of lucre and ambition appeared too generally to be their objects. This was become so much the case about the close of the third century, that, according to history, they revived the abrogated claim of tithes ; but had not obtained sufficient influence to

2 Thes.
2. 7, &c.

to engross them to themselves. The poor shared in them, according to the Jewish law, and the council of Nantes afterwards declared, *the clergy were not to use them as their own, but as committed to their trust.*

As corruption increased amongst the ecclesiasticks, their encroachments multiplied. They first gave out that *tithes were due to God and holy church*, and, in process of time, claimed the whole right and property of them to themselves; for they had before assumed the titles of *holy church*, and *ambassadors of Christ*.

Tithes once sacerdotally engrossed, became immediately transformed into *holy things and spirituals*, and it was *prophanation and sacrilege* for the laity either to receive or withhold them. To stimulate the deluded people to bring them in liberally, they were pressed as meritorious for the remission of sins, the expiation of murders, adulteries, and other flagrant offences, the redemption of souls from their imaginary purgatory, and a security against the torments of hell,

The grant of king Stephen shews to what a pitch of infatuation the Romish clergy wrought up even their princes :
the

the preamble to which runs in this manner, " Because, through the providence of Divine Mercy, we know it to be so ordered, and, by the church's publishing it far and near, every body has heard, that by the distribution of alms persons may be absolved from the bonds of sin, and acquire the rewards of heavenly joys. I Stephen, by the grace of God king of England, being willing to have a part with them, *who by a happy kind of trading*, exchange heavenly things for earthly, and smitten with the love of God, and for the salvation of my own soul, and the souls of my father and mother, and all my fore-fathers and ancestors," &c. He then proceeds to the confirmation of tithes and other grants, for the peculiar emolument of ecclesiasticks.

Tithes were received as the donation of the people, each of whom gave them to such of the priesthood as he chose, till near the expiration of the thirteenth century, when pope Innocent III. decreed, that parishioners, on pain of ecclesiastical censures, should pay tithes to their own parish-priests only.

About

About forty years after, what the parochial clergy had received *as a gift*, they began to claim *as a debt*, and pleaded prescription as a just title ; as if a long term of unrighteous possession could change the nature of things, and give an equitable right to an unjust extortion. This bold encroachment on the rights of the people gave them great uneasiness, and occasioned them warmly to contest it. Hereupon the pope, now advanced to such a height of arrogance, as imperiously to assume domination over kings and kingdoms, thundered out his interdict against this nation, excommunicated the king, and terrified the people with the roaring of his bulls.

The whole tithe thus fixt to the priesthood, the pope, in the plenitude of his usurped power, put on the mitre, and claimed the tenths of the tithe to himself, as successor, *not to Peter*, but to the Jewish high priest ; and to strengthen himself in his usurpations, and favour his supporters, he afterwards granted exemptions from the payment of tithes to the templars, cistercians, hospitallers, and generally to all lands held in the occupation of those stiled *religious* persons and houses.

“ Spiritual

“ Spiritual persons or corporations, as
 “ monasteries, abbots, bishops, and the
 “ like, were always capable of having
 “ their lands totally discharged of tithes
 “ by various ways : as, 1. By real com-
 “ position : 2. By the pope’s bull of ex-
 “ emption : 3. By unity of possession ;
 “ as when the rectory of a parish, and
 “ lands in the same parish, both belonged
 “ to a religious house, those lands were
 “ discharged of tithes by this unity of
 “ possession : 4. By prescription ; having
 “ never been liable to tithes, by being
 “ always in spiritual hands : 5. By virtue
 “ of their order ; as the knights templars,
 “ cistercians, and others, whose lands
 “ were privileged by the pope with a dis-
 “ charge of tithes. Though, upon the
 “ dissolution of abbeyes by Hen. VIII.
 “ most of these exemptions from tithes
 “ would have fallen with them, and the
 “ lands become titheable again, had they
 “ not been supported and upheld by the
 “ statute 31 Hen. VIII. c. 13. which
 “ enacts, That all persons who should
 “ come to the possession of the lands of
 “ any abbey then dissolved, should hold
 “ them free and discharged of tithes, in
 “ as large and ample a manner as the
 “ abbeyes themselves formerly held them.
 “ And from this original have sprung all
 D “ the

“ the lands, which being in lay hands, do
 “ at present claim to be tithe free.” Sir
 William Blackstone’s Commentaries, book
 ii. ch. 2.

When Hen. VIII. by the help of his parliament, had transferred the usurpation of ecclesiastical supremacy in England from the pope to himself, yet remaining a bigot to the superstitious and intolerant spirit of popery, and having entitled himself to share in the profits, he joined in forcing the payment of tithes by statute, *as due to God and holy church*. Upon this pretended *divine right, of human invention*, are founded all the subsequent laws, which enforce the payment of tithes, upon those of all societies, to the clergy of the church in power.

“ As to their original, *saieth Blackstone*,
 “ I will not put the title of the clergy to
 “ tithes upon any divine right, though
 “ such a right certainly commenced, and,
 “ I believe, as certainly ceased with the
 “ Jewish theocracy. The first mention
 “ of them that I have met with in any
 “ written English law, is in a constituti-
 “ onal decree, made in a synod held A.
 “ D. 786.” Ibid.

SECTION

SECTION III.

THE pretence of divine right being, at length, so clearly seen through, as to be generally exploded, though not absolutely renounced, but reserved in petto by many, the advocates for tithing now mostly recur to human authority, alleging,

I. "That tithes are become, in this nation, a demand of a *civil nature*, because they are given by the laws of the land."

This allegation seems to be founded upon a supposition, that laws made by a civil power render the subjects of those laws of a civil nature. But certainly spiritual matters do not change their nature, and become civil, through any exertion of human authority concerning them.

To claim tithes as civil dues because they have obtained a sanction from the civil power, is not according to the sense of those laws which are now pleaded. See stat. 27th and 37th of Hen. VIII.

These, after supposing tithes, in the phrase of those times, *due to God and holy church*, and that withholding the payment of them, is therefore acting *against right, and good conscience*, do not make an assignment of tithes to the clergy *de novo*, as a new grant, but, *taking it for granted*, that they are due to them *by divine right, ex officio*, or by virtue of their office, do therefore enforce the payment of them. Accordingly, both these statutes, and that of Edward VI. which is grounded upon these, restrain all suits and trials on account of tithes to the ecclesiastical courts; which demonstrates *they were not enacted as dues of a civil nature*. Thus, these very laws, which are said to render this demand of a civil nature, evidently imply the contrary, by presuming it to be of divine right; and as the clergy claim tithes on the authority of these laws, they must claim them upon that presumption. If they have no divine right, they have therefore no right at all. The truth is, they have procured power, by laws grounded on erroneous principles, to demand and force them out of the hands of the owners.

Tithes are not imposed in the manner of a civil tax. They are not paid to civil officers.

officers. They are founded on religious considerations. The intent of imposing them is, to support ministers in the pursuit of religious duties. Being not required for a civil, but a religious purpose, the payment of them is a religious concern.

II. The civil body of this kingdom, since protestantism gained the ascendant, consists not of any one sort of professors, whether more or less in number, but of many societies different in point of religion, each of whom hath ministers peculiar to itself. Therefore, no one particular set of those ministers can properly be deemed the ministry of the whole, nor any demand be justly made upon the whole, on their account, as if they really were so. Any person uprightly and impartially disposed, can hardly be at a loss to discover the reasonableness of every distinct religious society's bearing its own charges, without using the civil power to oblige those of other societies to assist in defraying the expences proper to its self only; especially when it is against their consciences; which is the case with the people called Quakers, who have no settled ministers to their congregations, or stipends for their support.

The

The most tenacious of the clergy have always adopted, with peculiar fondness, the words *right, dues, and property*; and constantly stile their demands by these names, in order to impress them upon others as such. These terms are justly applicable to inheritances fairly descended, to possessions honestly acquired, or uprightly purchased. For in these the proprietors have moral right, was there no external law in being to confirm it. To them just law *gives no right*; it only *adds security to possession*. If by any law this property be rendered insecure, or any part thereof alienated from the proprietor against his will, or without yielding him an equivalent, such law is a violation of equity, which no human authority is warranted to dispense with. And, as an ingenuous writer observes, in his *Animadversions on a pamphlet, intituled, The rights of the clergy of Ireland, &c.* page 25. "As I derive not my property from
 "the laws, but only the security thereof,
 "the legislature cannot properly reassume
 "it, as they never gave it; unless my
 "possession thereof interfere with the
 "publick good, and then not without an
 "equivalent." But this cannot be said of such possessions as are only given to
 any

any by law, to which a prior or juster claim rests in others.

A law erroneously founded may authorize a person to commit wrong with legal impunity, but it cannot sanctify the act of wrong, nor justify the actor in reality.

The publick have often been amused with an artificial distinction between *legal justice* and *moral righteousness*. But how can it be right to consider *law as separate from equity*, and yet call it *justice*? Is it not paying too high a compliment to power, at the expence of truth and righteousness? What justice can there be where equity is wanting? Where legal injunction differs from moral right, it is so far wrong; and no human power hath authority from God to supercede any law of his, whether that of moral equity, that which he writes in the heart of man, or that which is fairly gathered from the precepts of the New Testament. All the laws of men inconsistent with any of these, are not of force to compel active obedience; because they are against a *prior indispensable obligation, which every individual is under to the supreme Lord and Law-giver*. Hence it must appear to be the duty of Christian legislators, to make
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the laws agreeable to the precepts and doctrines of the gospel ; otherwise, the real practical Christian subject, who cannot yield actual obedience to them, must be proportionably excluded from the benefit of the laws, whilst the time-serving sycophant, the occasional conformist, and the inequitable oppressor, reap the full advantage of them.

III. It is alleged, that tithes are equitable claims, because every tenant is allowed the full value of them by his landlord in the rent of his farm.

Was this really fact in the case of others, it hath no force against the truly conscientious amongst the people called Quakers, who make no such bargain with their landlords, nor who could accept of no such conditions were they proposed to them. They take the land as they find it, and where it hath the incumbrance of tithes upon it, they come under no obligation with their landlords actively to pay them, because it is against their conscience to do it ; yet, for conscience-sake, they peaceably suffer them to be taken from them. But this will not always content the parson. If he cannot bring the Quaker into the sin of hypocrisy, by a voluntary delivery

delivery of tithe against his conscience, he absurdly complains *he is defrauded*. Thus his demand is not only for what he improperly stiles his due, but also for what cannot possibly be due to any man, *the sovereignty of other men's consciences*.

Our compliance against conscience hath frequently been urged by clerical advocates, as a point of gratitude necessarily due to the government, and expected by it, in return for the relief it hath in other respects afforded us.

As to the government, we have not been wanting respectfully to acknowledge our obligations, and to render it any service in our power, consistent with our religious duty; and we cannot in reason imagine, that its view in easing our consciences in some particulars, is to lay us under obligation to violate them in others.

IV. The pretence of tithes being paid by the land, and therefore allowed by the landlord to his tenant, that he may pay the demand for him, is a mistake. For, 1st, though the proprietor may be obliged to let his land for less than he might do, was not the burden of tithe upon it, it

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is not because of any voluntary contract between landlord and tenant, that the latter shall pay tithe for the account of the former ; nor is the true value left in the tenant's hands for that purpose. Every considerate person must readily discover, it is not the land, but the increase that tithes are taken out of ; and that their amount is more or less, according to the variation of the increase ; and if the landlord is a loser by reason of this exaction, the tenant may be so likewise, the tithe being taken out of his increase, and in proportion thereunto.

Anthony Pearson, in his *Great Case of Tithes*, hath long since shewed, that it is not properly the land which pays the tithe, where there is land in the case, but the produce which is raised by the skill, care, expence, and labour of the occupier, in whose power it is to make it *much, little, or nothing*, at his pleasure. If he sow it with corn, the tithe may prove worth *three times the rent of the land it grows upon*. If he pasture it with sheep, the tithe will be less ; and less still if he feed it with cows, or breeding cattle. If he eat up his grafs by horses, or barren cattle, an inconsiderable rate is required. If he plant wood, and let it stand for
timber,

timber, or stock it with beasts which are *feræ naturæ*, of a wild nature, or let his land lie waste, or eat his meadow, or corn standing, no tithe can be required. These instances evince that tithes are paid by the *stock*, or *personal estate* of the occupier, and in proportion to his produce.

2d. Though the Quaker pay less rent for a farm with the burden of tithes upon it, than he might was it free from that disadvantage, it is not by way of agreement with his landlord to pay tithes for him; but because his landlord cannot let it higher to any tenant, as every one is sensible the tenth of the produce, raised upon such land, will be taken from him. But was the argument under consideration a good one in other respects, it reaches not the case where the Quaker occupies his own land, nor where land is out of the question, as in cities, corporate towns, and other places where no *prædial* tithe ariseth, and where a *modus*, or certain value instead of tithe, is demanded of the house-holders.

V. If private property may be alienated from the right owner *merely by law*, such a law doth not confirm and defend right where it properly is, but operates

as if it could *change wrong into right*, and may, upon the same foundation, overturn all the private property in the kingdom, and cause it to change hands at pleasure, to the ruin of the right owners, and for the peculiar emolument of those, who may have address and influence sufficient to procure the enactment of such laws in their favour. But surely this would be contrary to equity, and that which would be totally wrong if wholly done, must be wrong in part so far as it goes, and will remain to be wrong so long as it is continued. If an incumbrance imposed merely by law, against equity, either upon land or the produce thereof, continue till it lessen the value of the land, such incumbrance can never, by that continuance, *equitably* become the property of its procurers, though it may be forcibly possessed by them. If we state the case fairly, we may readily perceive in whom the right centers.

A person stands possessed of an estate in land, either by just inheritance, or fair purchase, clear of all incumbrance. A number of artful men, in combination for their own particular interest, by untrue pretensions procure a law to empower them to demand, and upon refusal to
seize

seize a portion of the increase arising from the occupation of this land. In consequence of this imposition the value of the land becomes lessened ; so that during the continuance of this burden, if it happen to be sold, it must be disposed of for less than its real worth. Who in this case is the loser ? Certainly *the seller*. If, therefore, the purchaser stands justly indebted to any person on account of the abatement in price, occasioned by the incumbrance, it cannot be to the tithe-claimer who hath *no equitable right in the estate*, but to *the seller who has*. If the tithe claimant annually takes from the purchaser to *the exact amount* of the seller's loss, in point of equity, he stands indebted to the seller for it ; if he take *more than that amount* from the purchaser, he stands indebted to the seller for *that amount*, and to the buyer for all he takes *above it*. If the land-owner sell it not, but is obliged to let his land at a rent below its real value by reason of such imposition, the tithe-taker, *in equity*, stands debtor to him for the amount of the difference in his rent ; so he also doth to the occupier for all that is taken out of his produce above this difference. It is theirs in equity, and must ever remain to be their right, and the right of their heirs, unless by gift, sale, or demise, they alienate it by their own act, or consent,

sent, and can never equitably revert from one imposer to another merely by virtue of human law ; which whenever it differs from, and inforces against, equity, is unequal, and what is unequal is immoral, and by consequence anti-christian.

VI. It hath been alleged, that because the buyer pays less for the purchase of an estate, the produce whereof is subject to the demand of tithes, than he might do was it not so, that he therefore *consents to the payment of them* by making the purchase ; wherein he also avails himself of the law, by the abatement he receives in the price.

That he who purchaseth an estate, the produce of which is titheable, pays less for it than if it had remained free from that demand, is true ; but why ? Because he cannot make a rent of it answerable to the full value ; therefore it is worth no more to him than he gives for it. If a piece of land is tithe-free, the buyer pays the full value for it, and fixes a rent accordingly. If it is liable to the demand of tithe, he pays less for the purchase, and receives a rent proportionably lower to the difference in price. How then doth he avail himself of the law in the purchase, and bring himself under obligation

gation *actually* to pay tithe? If any person receive the benefit of *the abatement*, it is the tithe-exactor, who takes it from the occupier, and who is seldom so indifferent to his own interest, as to suffer the purchaser to avail himself of the law in the case.

VII. To those who plead the *gift of tithes* from former possessors of the land; or that allege *the length of time* the successive claimants have been in possession of these impositions; I answer,

1st. No ancestor of mine had a right to give away from me the fruits of my labour and expence, which never could be his, for purposes I cannot in conscience and equity comply with. My mislled predecessor never could be entitled to dispose of my conscience and property for me before I existed, in support of the prevailing errors of his age.

2d. No length of time, or term of possession, can abolish the immutable law of equity, nor render that right which stands upon a wrong foundation. Right and wrong are not convertible terms; nor is it in the power of time, either to reverse, or reconcile, their contrary natures,
which

which must always necessarily remain in their true distinctions.

VIII. We have been told, that by voting for representatives to sit in parliament, we give our consent to all the laws they make, and ought therefore to yield *active obedience* thereunto without reserve.

Though I cannot acquiesce in this position, yet I am subject, *upon principle*, to whatever is enjoined by the legislature, yielding active obedience when according to my conscience, and passively submitting when opposite thereto. But though I submit to these injunctions, I cannot esteem them *as my act and deed* when in my conscience I believe them to be wrong. That elector, who, by giving his voice for representatives, obliges himself *actively* to obey every thing they may enact, especially in religious matters, makes too full a surrender of his just rights, to be warranted either by the laws of God, or the rules of right reason; both which determine the perfect resignation of the conscience to be due to God only.

SECTION

SECTION IV.

IT is much insisted on, that tithes and other ecclesiastical demands are established by law ; that magistracy is God's ordinance ; therefore we are commanded to submit to every ordinance of man for the Lord's sake ; and that it is our civil duty, against which conscience cannot be pleaded.

ANSWER. We readily allow,

I. That magistracy is an ordinance of God ; but that every ordinance officially made by magistrates, is God's ordinance also, doth not follow. For was it really so, the prophets, apostles, and primitive ministers of Christ, under divine inspiration, must have been wrong, in not always yielding actual obedience to them ; and the most iniquitous, oppressive, anti-christian laws and ordinances of men in power, throughout the world, would be justified, because government is of divine authority. Almighty God is incapable of error, therefore was undoubtedly right in ordaining government ; and so he certainly

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was in creating mankind ; but man was not right in departing from his law and disobeying him ; neither are men in authority, when either in the framing of laws, or putting them in execution, they deviate from, or act against, the rule of rectitude. Numerous instances might be adduced from holy writ, of men exalted to the highest seats of authority by divine ordinance, whose erroneous conduct in divers of their magisterial acts, hath not only drawn down the divine displeasure upon themselves, but also upon *those* who gave active obedience to their unwarrantable injunctions and commands.

II. “ Submit yourselves to every ordinance of man for the Lord’s sake,” is an apostolical precept ; and whoever actively obey them when according to their consciences, and peaceably submit to the penalties imposed when against their consciences, fulfil this Christian rule in the same manner the apostles themselves did. They manifested by their conduct, under grievous sufferings, that *active obedience* was not *divinely* required to the injunctions of magistracy, in opposition to conscientious duty ; for when that was magisterially commanded them, they answered, “ Whether it be *right in the sight*
“ of

“ of God, to hearken unto you more than ^{Acts 4.}
 “ unto God, judge ye—We ought to ^{19. and}
 “ obey God rather than men.” This ^{5. 29.}
 doctrine they practically observed, and
 thereby set an example for all that profess
 the Christian religion.

III. That subjection to the *civil in-*
junctions of magistracy, if agreeable to the
 gospel and sound morality, is a civil duty
 against which conscience cannot be justly
 pleaded, we believe, and act accordingly ;
 but where persons in power interfere with
 the *religious duty* of others between God
 and their own souls, and assume authority
 over conscience, it is an unwarrantable
 extension of civil power, and cannot com-
 mand voluntary obedience.

To rule the conscience is God’s peculiar
 prerogative, which he hath not resigned
 to any man, or any succession of men
 upon earth ; yet no right hath been more
 invaded than this, by means of those who
 entitle themselves *spiritual men*, and who,
 to serve the purposes of their own parti-
 cular interest and ambition, have artfully
 prevailed over the civil power, to cover
 their usurpations and encroachments with
 its authority. But neither civil magi-
 strates, nor ecclesiastical dignitaries, are

entitled to *dominion over our faith*; for that is a claim the apostles themselves renounced, and wherewith no human powers are vested. *By faith we stand*, in matters of religious concern, and not upon human authority.

2 Cor. i.
24.

It is matter of conscience with me, not to join with, or actively support, what I cannot in conscience approve. When the ministry, worship, or discipline of a communion different from my own, is contrary to my faith, I ought not actually to join in with it, for *whatsoever is not of faith, is sin*. If I connect with it, it must be hypocritically, and therefore condemnable. If I actually support what I cannot join with, I act inconsistently with my own conscience; and when that condemns, who can acquit me? “A wounded spirit who can bear?” I therefore chuse, both in duty and prudence, to keep a conscience void of offence, by actively obeying the light, or law of God in my own breast, as well as in holy writ, and patiently submitting to the penalties of human laws in opposition thereto, so long as the wisdom of Providence suffers them to be imposed, without forcibly resisting the power that enjoins them. This is certainly as much as the text 1 Pet. ii. 13. requires;

Rom. 14.
23.

Prov. 18.
14.

requires ; for it cannot be divinely intended to enforce hypocrisy and inconsistency ; nor can it be admitted to have any proper relation to matters of religious concern, because that would infer, the Christian converts then scattered throughout Pontus, Galatia, &c. to whom this epistle was directed, were thereby enjoined to conform to every heathenish rite commanded by their Pagan magistrates, and consequently to join them in the support of their idolatry.

IV. It is urged, “ That the same
“ authority to whom we pay civil taxes
“ without objection, enjoins the payment
“ of ecclesiastical demands.”

ANSW. In the first, it acts upon civil principles, which are proper to it. In the last, we apprehend, it exceeds the true measure of civil power, by controlling conscience. Civil power is external, and relates to civil and moral conduct, and the preservation of equity, and good order amongst men. Authority over conscience is internal and spiritual, including faith, worship, and the immediate discharge of duty towards God. The first is providentially committed to human legislators and magistrates, in subordination to the laws
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of God. Of the last, Christ is the head, the leader, and commander; the conscience of man being his place of direction, and seat of judgment. The dominion of this he hath reserved to himself; and where the laws of men interfere with his requisitions, theirs cannot be actively obeyed, and his performed.

Respecting the authority of ecclesiasticks, Christianity warrants no domination in its ministers, either over the persons or properties of any. It allows not its servants in spirituals, to be its lords in temporals. Christ, the only Potentate in his church and kingdom, hath left an immutable prohibition against it; "It shall not be so amongst you." Mat. xx. 26.

1 Pet. 5.
2, 3.

V. Some demanders of tithes affect to treat them as *freeholds*, pretending they are *as justly* entitled to them as the freeholder is to his estate; but, surely, there is a material difference between them. Freeholders are those who hold lands or tenements by a perpetual right of inheritance, to themselves and their heirs for ever. Their freeholds are not conferred upon them, but conserved to them, by law, and are not to be alienated from them merely by law. Tithes are not landed

landed inheritances, possessed by hereditary descent, but annual claims, as wages, upon the produce of other mens lands and labours, many of whom the demanders do nothing for ; and they are assigned to the receivers *wholly by law* ; and therefore may be restored to the true proprietors *by a repeal of the law*.

VI. It is alleged, “ That if I hire
 “ land subject to tithes, I am paid in
 “ proportion for the tithe, and knowing
 “ another is by law entitled to it, I ought
 “ not to deprive him of it ; and that it is
 “ dishonest in me so to do.”

I have already answered the first assertion in the 3d section, art. 4. and as to my knowledge that another is entitled to it, I answer : I understand, another has a claim by human law ; but I also believe the law of God is against this claim. Consequently, if I actually pay the demander, I join hands with him in what would be in me, at least, a transgression against God’s law. Yet by my conscientious refusal of active payment, *I do not deprive the demander of his claim* ; for it is in his power to take it from me at his pleasure, without any resistance from me, and at my cost too. He therefore
 hath

hath no just pretence to insist upon my violating the divine law, wounding my own conscience, and destroying my peace, merely to save him the trouble of employing persons to take his demand at my expence. To charge me with *dishonesty* for not directly giving it him, but rather suffering him to take it, is to abuse me by an unjust allegation ; for he receives his claim, right or wrong. Should I actually comply, as I have heard some acknowledge they do, *not from a belief of any just right in the claimant, but because he is possessed of power to force it from them by injurious means*, I think, upon Christian principles, I should be guilty of betraying the testimony I ought to bear, of bringing just condemnation upon myself, and of increasing the burden of my faithful brethren.

But a little more to the point of honesty. To yield active obedience to the laws of men, when they are opposite to the law of God, and destructive to the testimony he requires, merits not the title of *honesty*. He, who, under pretext of claiming his due, infringes upon God's part, is unjust in a principal point of duty, and dishonest to his Maker.

The laws of men can be no further right than they accord with the laws of God. All human legislators ought to make these their rule in framing their subordinate laws, all magistrates to have especial regard thereunto in the execution of them, and all subjects in their obedience to them. We are all made for a purpose of God's glory, and commanded to glorify him in whatsoever we do ; and it is only so far as we act in obedience to him that he is glorified by us. Upon this principle, when the injunctions of men coincide not with his, we hold it our duty to give his the preference, and think it no dishonesty so to do.

1 Cor.
10. 31.

VII. The tax for the maintenance of parish priests in the city of London, made in lieu of tithes, if omitted to be taken of one inhabitant, is unequitably demanded of the succeeding tenant ; hence it is argued, " The London Quakers should not be required by their society to do injustice, by leaving *a debt* for their successors to pay." To which I answer.

They presume, those laws are more arbitrary than can consist either with true Christianity, or equity, which impower those to make annual demands upon them,

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who in no shape whatever, render them any thing as an equivalent to ground such demands upon. To claim annuities of them as ministers of Christ, I have shewed in the first section, they have no warrant from him to do. To claim of them simply as ministers, is evidently wrong, because the demanders minister not to them, but to another society, to which they wholly belong, and not at all to them. Unless, therefore, the Quakers contract debts with them, the priests can have no just demand upon them; and where they contract none, they leave none to pay.

VIII. We are told, “ That he who
“ voluntarily enters upon land that is
“ titheable, or a house rateable to the
“ parson, renders himself liable by law.”

ANSW. To what doth he render himself liable, but to the condition of the law? The condition of the law is not simple and absolute; but *that the occupier shall either actively pay the demand, or passively suffer it to be taken from him.* This is the condition upon which the conscientious Quaker voluntarily enters upon the premises; and where he cannot fulfil the law in the first instance, he doth it in the second, by his peaceable submission.
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What other way can he preserve a conscience void of offence ?

IX. " But," say our opposers, " your conscience is not to supercede the laws of the land."

ANSW. Are the laws superceded when yielded to either actively, or passively ? Doth every person that suffers a distrait, or a punishment, supercede the law that inflicts it ? Were the decrees of Nebuchadnezzar, or Darius, superceded by the submission of the faithful Shadrack, Meshack, Abednego, and Daniel ? Or was it their duty, contrary to their consciences, actively to obey the laws of the land, in prejudice to the law of God ? Is not the enforcing of human law as the absolute rule of conscience, an unwarantable usurpation upon God's prerogative, and mens privilege ?

X. It hath been asserted, " That the discipline of the Quakers respecting these legal demands, tends as far as its influence reaches, to overthrow lawful government."

ANSW. Their discipline is so far from having this tendency, that it both sup-

ports, and guards lawful government from being wronged, so far as its influence reaches. For it not only requires, that every lawful demand for the support of government be punctually paid, but annually enquires, and receives answers from all parts where its members are settled, whether any, in membership with them, are guilty either of fraudulent, or inadvertent practices, by which the king's revenues may in any respect be affected. Their principle also teaches all due submission to the laws of the land, without resistance.

Legal government is best supported by moderation, and impartial justice. Where any are disagreeably loaded with other mens charges, there will necessarily remain a proportionable uneasiness, and the more if insult is added to oppression; but where the burdened are of peaceable principles, the government is in no danger from them, even though it impower those who make them sufferers so to do. If any object to the term, *Sufferers*, because of the smallness of some of these demands and distrains; I answer. We esteem every exaction and imposition endured contrary to conscience, to be a suffering, whether it rise our premises, or imprison our persons,

persons, or whether it be for one pound or a hundred. The case is the same in nature, and differs only in quantity; which renders it a greater, or a lesser suffering, but annihilates not its proper name, because it alters not its nature. "The execution of penal laws," saith Locke, "let the penalties be great or small, are punishments." 3d Letter. Chap, 10.

XI. It is pretended, "That if I purchase, or rent lands legally subject to tithes, I lay myself under absolute obligation actively to pay them; because I rent or purchase them on these terms, which I cannot in equity refuse; and therefore it is matter of conscience with me to pay."

ANSW. I have already shewn, that no men upon earth are divinely warranted to *establish a claim against equity*, or in opposition to any standing law of God. They may impose and enforce, but they cannot change iniquity into equity. They may speciously entitle *an unjust demand right and due*, but it remains in reality as wrong and undue, as if it still passed under its own proper terms; for law cannot make equity, but should be made by it, and where

where they differ, ought to give place to it.

But after all, *it is not true*, that he who rents or purchaseth lands subject to tithes, purchaseth them on such terms as lay him under obligation actively to pay them. For the laws do not run, that a man *shall voluntarily pay against his conscience*, but that he whose premises are liable to the demand, *shall either actively pay, or passively suffer it to be taken from him, at his expence*. The law leaves it to his own choice, and if he pay, it is *because he prefers payment to suffering*. He cannot truly assert, the law obliges him to it, for the law provides and allows an alternative; and why? Because true Protestantism holds, that conscience is not controulable by human laws, nor subject to the determination of human courts. *None, therefore, are positively compelled by the law to active obedience against conscience*; for it provides, where that is concerned in the case, the demand shall be taken by some legal mode of procedure.

XII. It is queried, “ If from inadvertence, mistake, or any other cause, I am already under an engagement to pay any demand, doth not moral equity
“ require

“ require that I should fulfil my engagement ?”

ANSW. If it be a just engagement, and not contrary to the law of God, it ought undoubtedly to be actually fulfilled. But when any man hath entered into an engagement which he becomes afterwards convinced is contrary to the will of God, his Creator and final Judge, he ought not to proceed, but immediately to stop, and undo the wrong so far as may be in his power, submitting to the consequence, whatever it may be. Every wrong pursuit when discovered to be such, should be repented of, and desisted from.

XIII. “ But, if the demander will
 “ prosecute the case to the utmost rigour
 “ of exchequer, or ecclesiastick law, must
 “ I, because I believe his claim contrary
 “ to the gospel, suffer myself and family
 “ to be ruined, rather than actually pay ?”

ANSW. If the demander, after friendly endeavours have been used with him, prove absolutely inflexible, the primitive Christians, the protestant martyrs, and our own predecessors, as a cloud of witnesses, have shewed us by their example, that we ought not to let fall our testimony
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for his cause who died for us; but to keep a just confidence in Christ, and an eye to the glorious recompence of eternal reward. *He that loves father or mother, son or daughter, house or land, or even his own life more than Christ, is not worthy of him.* What! shall we flinch at a little suffering in his cause who suffered so much for our sakes? If we deny him before men, what must be the consequence? *Whoever obtains the crown, must take up their cross, and follow him.* The event may be safely resigned to him, without whose Providence not a hair of our head shall perish, and who will not fail to recompence an hundred fold into the bosoms of the faithful, under every suffering in this life.

XIV. Some tell us, "That in extending our discipline to any thing besides mere immoralities, we exceed its due limitation."

To such let me observe, that in a body connected for the preservation of *morals only*, it might be so; but we are not associated *solely as a moral, but also as a religious and Christian society*, who believe it our duty, both in our collective and individual capacity, to shew forth to the world

world those doctrines we most surely believe, in life and manners as well as by profession. Hence, not immoralities *only*, but also those parts of conduct in our members, which appear to us inconsistent with the principles of pure Christianity, fall under our notice, and become the proper subjects of our discipline, according to the nature of the case, and the measure of the offence.

XV. By divers of the same arguments which I have already considered, is the demand upon us for those called Church-rates sought to be justified. I shall therefore briefly add the grounds of our scruple against paying them.

We cannot esteem these, any more than the stipends of the clergy, as *civil taxes*. Because they are for the support of buildings pretended to be made holy by the bishop's consecration, and where such a manner of worship is practised as we cannot join with; for buying, washing, and mending surplices, for purchasing, and keeping in repair, bells, organs, and books to pray and sing by; for defraying the expence of entertainments for priests, parish-officers, &c. at visitations; and for fees to registers, apparitors, and the

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like attendants on such an ecclesiastical jurisdiction, as the doctrine of the gospel doth not appear to authorize.

It is right and fit, that every able subject in the kingdom should proportionably contribute to the national expence, because all share, as one general body, in the benefit of its civil administration ; but as members of religious societies, they are separately collected into so many distinct communities, the several services of which are performed by the members of each society within itself, and the peculiar charges of each, whether for the support of its worship, its discipline, or the maintenance of its ministers, *being only proper to itself*, ought not, either wholly, or in part, to be made a burden upon the members of any other of those religious bodies : church-expence being a concern entirely different from those of the civil body.

Nor can the civil powers, consistently with protestant principles, or true equity, authorize any one of these distinct religious societies, even that to which themselves belong, to impose either its own peculiar modes or expences upon the rest. They stand in their several divisions, upon
the

the just and conscientious bottom of true Protestantism, *the right of private judgment*; which no one ought to deny to the rest, or to any of them, though it may retain the legislative and magistratick power amongst its own members. The authority of these powers reacheth over the whole in moral and civil cases; but not in matters of religion. Christ alone is Head, Lord, and Lawgiver to the church, in whom is the sole right of jurisdiction over souls and consciences. In relation to this point, let me add the sentiments of that able and eminent writer John Lock.

“ What I say concerning the mutual
 “ toleration of private persons differing
 “ from one another in religion, I under-
 “ stand also of particular churches; which
 “ stand as it were in the same relation to
 “ each other as private persons among
 “ themselves; nor has any one of them
 “ any manner of jurisdiction over any
 “ other, no not even when the civil ma-
 “ gistrate (as it sometimes happens) comes
 “ to be of this or the other communion.
 “ For the civil government can give no
 “ new right to the church, nor the church
 “ to the civil government. So that whe-
 “ ther the magistrate join himself to any
 “ church, or separate from it, the church

“ remains always as it was before, a free
 “ and voluntary society. It neither ac-
 “ quires the power of the sword by the
 “ magistrate’s coming to it, nor does it
 “ lose the right of instruction and excom-
 “ munication by his going from it. This
 “ is the fundamental and immutable right
 “ of a spontaneous society, that it has
 “ power to remove any of its members
 “ who transgress the rules of its institu-
 “ tion : but it cannot, by the accession of
 “ any new members, acquire any right
 “ of jurisdiction over those that are not
 “ joined with it. And therefore peace,
 “ equity, and friendship, are always mu-
 “ tually to be observed by particular
 “ churches, in the same manner as by
 “ private persons, without any pretence
 “ of superiority or jurisdiction over one
 “ another.” Letter concerning Tolera-
 tion. Quarto edition, page 15.

“ Neither single persons, nor churches,
 “ nay, nor even common-wealths, have
 “ any just title to invade the civil rights
 “ and worldly goods of each other, upon
 “ pretence of religion.” Ibid. p. 18.

“ It is not my business to inquire here
 “ into the power or dignity of the clergy.
 “ This only I say, that whencesoever
 “ their authority be sprung, since it is
 “ eccle-

“ ecclesiastical, it ought to be confined
 “ within the bounds of the church, nor
 “ can it in any manner be extended to
 “ civil affairs ; because the church itself
 “ is a thing absolutely separate and distinct
 “ from the common-wealth. The boun-
 “ daries on both sides are fixed and im-
 “ movable. He jumbles heaven and earth
 “ together, the things most remote and
 “ opposite, who mixes these two socie-
 “ ties ; which are in their original, end,
 “ business, and in every thing, perfectly
 “ distinct and infinitely different from
 “ each other.” Ibid.

Page 44. having shewn, that the pre-
 servation of mens lives and properties is
 the duty of magistrates, he thus proceeds.
 “ Therefore the magistrate cannot take
 “ away these worldly things from this
 “ man, or party, and give them to that ;
 “ nor change property amongst fellow
 “ subjects, (no not even by a law) for a
 “ cause that has no relation to the end of
 “ civil government : I mean for their
 “ religion.”

XVI. The people called Quakers go
 as far as they can consistently with good
 conscience do. Beside bearing the whole
 charges of their own society, and main-
 taining their own poor, without troubling
 the

the parishes on their account, they also pay the same rates to the parish poor as those do to whom they properly belong, and with great freedom and willingness; because against this charitable practice they have *no religious scruple*. They likewise submit to every servile office in common with their neighbours, are content to forego all such posts and places as are attended with profit and preferment, and are principled against giving any disturbance to government. Yet, for not actively coming up in the *orthodoxy* of tithing, they have lately, as well as formerly, been charged with *malefaction, as persons dishonest in principle, and of an evil conscience, rebellious, unfit and unworthy to inhabit houses, or to occupy lands in their native country, or to enjoy their birth-rights and privileges as Englishmen.*

Thus whilst their calumniators profess to claim their demands *only by law*, they are not contented with the law, but seek a force upon conscience beyond the warrant of the law, by calling for *active obedience against conscience*; which is a breach of God's law, and in consequence destructive to the life of religion. These tread in the steps of those concerning whom it was reprehensively said by the prophet, "He that putteth not into their
" mouths,

“ mouths, they even prepare war against Micah 3.
 “ him.” Their speeches and publications⁵
 evidence what they would be at, did not
 Divine Providence, the clemency of go-
 vernment, and the wiser and better part
 of their own order, discountenance their
 unchristian and unreasonable requisitions.

We as a people refuse *actively* to con-
 tribute towards a ministry, worship, and
 discipline, we are conscientiously withheld
 from joining in religious fellowship with,
 because we are well assured, none can with
 innocence act against their consciences,
 nor ought any to be made sufferers for
 obeying them. Hence ariseth our dissent,
 and *not from a view to save our money* ;
 for we are very sensible, in the present
 state of things, that faithfulness to our
 Christian principle renders us subject to
 more expence than voluntary payment
 would do.

Whilst, therefore, in matters of religi-
 ous concern, things remain to be imposed
 on us which we conceive to be contrary
 to moral equity, and the precepts of the
 gospel, we must, in duty to the sovereign
 Lord of all, continue to bear our testimo-
 ny against them, by our non-compliance
 with them,

If

If it be our duty to walk in sincerity, and to act in all things consistent with our religious principles, how can we voluntarily contribute to the maintenance of a ministry, which so evidently appears to have lucre and ambition for its objects, and thence hath been frequently found imposing and oppressing under the sanction of law, against the true intent and tenour of the gospel? Would not our actual contribution towards the maintenance of such, indicate an approbation of them, and be a confirmation of their practices?

And how can we with propriety assist in the support of those formalities and usages in religion and worship, which we are conscientiously concerned to disuse? Seeing then, we cannot actively comply with these demands without setting human authority above divine, without joining hands in things against our consciences to practise, and without falling into the manifest absurdity of acting a self-contradiction; notwithstanding the abuses we receive from our opposers, we must still chuse rather patiently to suffer, than meanly to comply, or hypocritically to conform.

21 AP 65
F I N I S.

